



Wylie City Council

Minutes

Wylie City Council Meeting

Tuesday, February 10, 2015 – 6:00 p.m.

Wylie Municipal Complex – Council Chambers

300 Country Club Road, Bldg. 100

Wylie, TX 75098

CALL TO ORDER

Announce the presence of a Quorum.

Mayor Eric Hogue called the meeting to order at 6:00 p.m. City Secretary Carole Ehrlich took roll call with the following City Council members present: Mayor Eric Hogue, Mayor pro tem Keith Stephens, Councilman Nathan Scott, Councilman Bennie Jones, Councilman David Dahl, Councilman Todd Wintters, and Councilman William Whitney III.

Staff present were: City Manager, Mindy Manson; Fire Chief, Brent Parker; Planning Director, Renae' Ollie; City Engineer, Chris Holsted; Finance Director, Linda Bantz; Public Services Director, Mike Sferra; City Secretary, Carole Ehrlich; Public Information Officer, Craig Kelly; and various support staff.

INVOCATION & PLEDGE OF ALLEGIANCE

Pastor Raymond H. Perry, representing the Trinity Friendship Baptist Church, gave the invocation and Pastor Jeff Denton, representing the Waterbrook Bible Church, led the Pledge of Allegiance.

PRESENTATIONS

- The Wylie Way Students – 2nd 9 Weeks

Mayor Hogue and Mayor pro tem Stephens presented medallions to students demonstrating "Shining the Wylie Way." Each nine weeks one student from each WISD campus is chosen as the "Wylie Way Student."

CITIZENS COMMENTS ON NON-AGENDA ITEMS

Residents may address Council regarding an item that is not listed on the Agenda. Residents must provide their name and address. Council requests that comments be limited to three (3) minutes. In addition, Council is not allowed to converse, deliberate or take action on any matter presented during citizen participation.

Wylie citizens Tom Barlow and Natashe Clark addressed Council opposing Kreymer Estates

Phase III development.

Bob Heath, representing the Wylie Historical Society, addressed Council in favor of relocating and restoring the Stone House located within the proposed in Zoning Case 2014-13 by developer Jim Douglas.

CONSENT AGENDA

All matters listed under the Consent Agenda are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

- A. Consider, and act upon, approval of the Minutes of the January 27, 2015 the Regular Meeting of the Wylie City Council. (C. Ehrlich, City Secretary)
- B. Consider, and act upon, approval of a Final Plat for Hunter's Cove. The Plat will create 59 single family residential lots and six (6) open space areas on 31.414 acres and dedicate the necessary rights-of way and parkland dedication. Subject property generally located southwest of E. Brown Street and Country Place Lane. (R. Ollie, Planning and Zoning Director)
- C. Review, and place on file, the 2014 Wylie Police Department Annual Traffic Contact Report. (Lt. A. Henderson, Police Dept.)

Councilman Jones requested Item C be pulled from the Consent Agenda and considered separately. Consensus of the Council was to pull Item C from the Consent Agenda.

Council Action

A motion was made by Councilman Dahl, seconded by Councilman Whitney to approve consent items A and B as presented. A vote was taken and the motion passed 7-0.

REGULAR AGENDA

- C. Review, and place on file, the 2014 Wylie Police Department Annual Traffic Contact Report. (Lt. A. Henderson, Police Dept.)

Councilman Jones requested an explanation for the Annual Traffic Contact Report. Lieutenant Henderson addressed Council stating that the annual Traffic Contact Report is required by State law to track racial profiling data which is compiled from all traffic stops made. The information is given to a third party consultant to review the data to insure compliance with State law. Henderson reported the data compiled this year for the City of Wylie was in compliance with State law. Councilman Jones thanked Henderson for the explanation.

Council Action

A motion was made by Councilman Jones, seconded by Councilman Wintters to approve consent item C as presented. A vote was taken and the motion passed 7-0.

1. **Hold a Public Hearing and consider, and act upon, a change in zoning from Agricultural (A/30) to Planned Development-Single-Family (PD-SF), for single-family residential development on approximately 38 acres, located at the northwest corner of Alanis Drive and S. Ballard Ave. ZC 2014-13 (R. Ollie, Planning and Zoning Director)**

Staff Comments

Planning Director Ollie addressed Council stating that the applicant is requesting to establish permanent zoning on approximately 38 acres of land, of which a portion contains a historical house known as "The Stone House." The rich history of this site and structure will be incorporated into the overall theme of the development. The applicant, and property owner, has worked diligently with Staff and with the Wylie Historical Society to ensure that the house is relocated and preserved for its historic value.

The PD specifies minimum lot size of 7,200 s.f. and minimum dwelling size of 1,800 sf. Lots that backup to Alanis Drive will be minimum 8,500 s.f. with a minimum dwelling size of 2,600 s.f. Maximum number of lots shall not exceed 145 lots. No alleys are required within the property. The proposal sets 5 feet as the minimum side yard requirement and 10 feet for corner lots. Mayor Hogue asked about the square footage proposed in the PD. Ollie reported these were all minimums. The development was designed similar to the Kreymer Estates and currently there were no homes built in Kreymer, to the minimum of 1,800 square feet. Maintenance of the park area will be the responsibility of the HOA. Maintenance of the Stone House will be assisted by the Wylie Historic Society; full details are not yet finalized.

Properties to the north and west are developed as single-family residential dwellings on average lot sizes of 7,700 s.f. and have been platted as Westwind Meadows Subdivision since the late seventies. Southplace Estates located east of the subject tract across Ballard has been developed since 2002 as single-family residential dwellings with minimum allowed lot sizes of 8,500 s.f. and average lot sizes of 10,000 s.f.

The historic Stone Family house must be moved to the north in order to accommodate future widening of Alanis. The developer will be responsible for the relocation and will work with the City Engineer to ensure the necessary rights-of-way are given. The actual location of the house will be designated by the final plat.

An eight foot Hike & Bike Trail, with six feet in front of dwellings, will be installed to achieve a link in the city park system. Distinctive striping and buttons, or similar, approved by city engineer shall be installed at trail crossings. The proposed case will have single loaded streets along open space/parkland.

Developer/Council Discussion

Jim Douglas representing Douglas Properties, Inc. gave a short presentation regarding homes and amenities that would be included in the proposed Planned Development. Councilman Scott noted his concern with regard to small lots stating that the Comprehensive Ordinance was amended several years ago to require larger lots in straight zoning. He had concerns with regard to the proposed lower square footage and placing so many homes in the development. Scott stated that he believed Douglas Properties could do better.

Douglas reported the cost to move the Stone House would be extensive with the fireplace being removed and then rebuilt. The house will be repaired with structural needs and exterior needs. The historical society will be responsible for the interior of the home.

Public Hearing

Mayor Hogue opened the public hearing on Zoning Case 2014-13 asking anyone wishing to address Council to come forward.

Wylie citizens, Tom Barlow and Natashe Clark, addressed Council opposing the Planned Development.

Mayor Hogue closed the public hearing at 6:48 p.m.

Council Action

A motion was made by Councilman Dahl, seconded by Mayor pro tem Stephens, to approve amending the zoning from Agricultural (A/30) to Planned Development-Single-Family (PD-SF), for single-family residential development on approximately 38 acres, located at the northwest corner of Alanis Drive and S. Ballard Ave. (ZC 2014-13). A vote was taken and the motion passed 6-1 with Mayor Hogue, Mayor pro tem Stephens, Councilman Wintters, Councilman Whitney, Councilman Jones, and Councilman Dahl voting for, and Councilman Scott voting against.

2. **Conduct the 1st Public Hearing for the annexation of two tracts of land approximately 32 acres situated in the Francisco De La Pina Survey, Abstract No. A0688, Tract No. 127, and Tract 202, Collin County, Texas, generally located east of W.A. Allen Blvd. and north of Stone Road and immediately east of Stone Grove Addition. 2014-04A. (R. Ollie, Planning and Zoning Director)**

Executive Summary

Planning Director Ollie addressed Council stating this annexation is at the request of property owners of two tracts of land. The subject tract is contiguous to existing city limits on the north, west, and south, while properties to the east are within unincorporated Collin County.

The applicant desires to bring the subject tracts into the City to create a residential development and provide connection to existing Stone Grove Phase I Addition to the west as well as the recently zoned 37 +/- acres immediately adjacent to the subject tracts as adopted by City Council on September 23, 2014 by Ordinance No. 2014-32 (PD-SF) to allow for a single family residential community.

Before a municipality may begin annexation proceedings, the governing body of the municipality must conduct two (2) public hearings at which persons interested in the annexation are given the opportunity to be heard. The notice for each hearing must be published at least once on or after the 20th day, but before the 10th day before the date of the hearing and must remain posted on the municipality's website until the date of the hearing. In compliance with state law, the following schedule has been adhered to:

Notice published for Public Hearings	January 21, 2015 and February 4, 2015
First Public Hearing	February 10, 2015
Second Public Hearing	February 24, 2015
Adoption of Ordinance	February 24, 2015

Public Hearing

Mayor Hogue opened the first of two public hearings on Item #2 (annexation), asking anyone wishing to address Council to come forward.

No citizens were present wishing to address Council.

Mayor Hogue closed the public hearing at 6:50 p.m.

READING OF ORDINANCES

Title and caption approved by Council as required by Wylie City Charter, Article III, Section 13-D.

There were no ordinances to read into the official record.

WORK SESSION

- **Hold a Work Session to discuss potential development of a vacant tract of land for Multi-Family uses, generally located north of S.H. 78 and east of Eubanks Lane. The NuRock Companies.** *(R. Ollie, Planning and Zoning Director)*

Planning Director Ollie addressed Council stating that the applicant approached the City with a request to develop a multi-family complex on approximately 10 acres located north of S.H. 78 and east of Eubanks (immediately adjacent to the Public Safety Building). Pursuant to requirements set forth by the Texas Department of Housing and Community Affairs ("TDHCA"), a resolution of support is required as a firm commitment from the City.

Ollie reported that in addition, the applicant is requesting funding support in the amount of \$735,000 to offset permit, tap, and impact fees.

Representatives of NuRock Companies gave a short presentation regarding their proposed development and requesting a resolution in favor of the development.

- **Hold a Work Session to discuss a potential multi-family mixed-use development on approximately 10 acres, generally located east of S.H. 78 and south of Alanis Drive; and an approximate 18 acre tract located north of Brown Street and northeast of S.H. 78. OM Housing.** *(R. Ollie, Planning and Zoning Director)*

Planning Director Ollie addressed Council stating that the applicant approached the City with a request to develop a mixed use project consisting of multi-family and retail/commercial uses on one of two parcels.

1. 10 acres located on the east side of S.H. 78 south of Alanis Drive.
2. 18 acres located north of Brown Street and northeast of S.H. 78

Pursuant to requirements set forth by the Texas Department of Housing and Community Affairs ("TDHCA"), a resolution of support is required as a firm commitment from the City.

In addition, the applicant is requesting funding support in the form of a permanent loan with interest not to exceed 3% and a term at least 15 years which will support the development in the amount of \$771,120. Funds to be provided to the City by the applicant or a related party.

Representatives of OM Housing gave a short presentation regarding their proposed development and requesting a resolution in favor of the development. The 18 acres on S.H. 78 are no longer a part of this request. Total acreage at S.H. 78 & Alanis is approximately 30 acres.

- **Hold a Work Session to discuss a potential multi-family mixed-use development on approximately 10 acres, generally located southeast of S.H. 78 and south of Alanis Drive. Sphinx Development.** *(R. Ollie, Planning and Zoning Director)*

Planning Director Ollie addressed Council stating that the applicant approached the City with a request to develop a mixed use project consisting of multi-family and retail/commercial uses on the east side of S.H. 78. Pursuant to requirements set forth by the Texas Department of Housing and Community Affairs ("TDHCA"), a resolution of support is required as a firm commitment from the City.

In addition, the applicant is requesting funding support in the form of a grant, in-kind contribution which will support the development in the amount of \$620,000 to cover estimated costs associated with impact fees, permit, review, and inspection fees.

Representatives of Sphinx Development gave a short presentation regarding their proposed development and requesting a resolution in favor of the development.

- **Hold a Work Session to hear an update regarding potential redevelopment of an existing Manufactured Home park to a multi-family mixed use development generally located east of S.H. 78 and south of F.M. 544. Gardner Capital. (M. Manson, City Manager)**

Planning Director Ollie addressed Council stating that John Palmer with Gardner Capital was present and wants to give Council an update on their proposal to redevelop Wylie Mobile Home Park for a mixed use community.

In addition, the applicant has reduced their requested funding from \$891k to \$686k based on redesign for more open space. Gardner has held a meeting with some of the current residents of the mobile home park to provide information on the possibilities. A future meeting is scheduled for February 20th.

Mayor Hogue reconvened into Regular Session at 8:10 p.m.

RECONVENE INTO REGULAR SESSION

Mayor Hogue convened into Executive Sessions at 8:15 p.m. reading the captions below.

EXECUTIVE SESSION

Recess into Closed Session in compliance with Section 551.001, et.seq. Texas Government Code, to wit:

§§Sec. 551.072. DELIBERATION REGARDING REAL PROPERTY; CLOSED MEETING. A governmental body may conduct a closed meeting to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on its negotiating position.

- **Discussion regarding the acquisition of properties by the Wylie Economic Development Corporation located near the intersection of State Highway 78 and Ballard Avenue. (S. Satterwhite, WEDC Director)**

§§Sec. 551.087. DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS; CLOSED MEETING. This chapter does not require a governmental body to conduct an open meeting:

- (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or
- (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1).

- **Deliberation regarding commercial or financial information that the City has received from a business prospect and to deliberate the offer of incentives to a business prospect.** (*S. Satterwhite, WEDC Director*)

§§Sec. 551.074. PERSONNEL MATTERS; CLOSED MEETING.

This chapter does not require a governmental body to conduct an open meeting:

- (1) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or
 - (2) to hear a complaint or charge against an officer or employee.
- (b) Subsection (a) does not apply if the officer or employee who is the subject of the deliberation or hearing requests a public hearing.

- **Deliberation of settlement of dismissal of a police officer**

Mayor Hogue reconvened into Open Session at 9:10 p.m.

RECONVENE INTO REGULAR SESSION

Take any action as a result from Executive Session.

Council Action

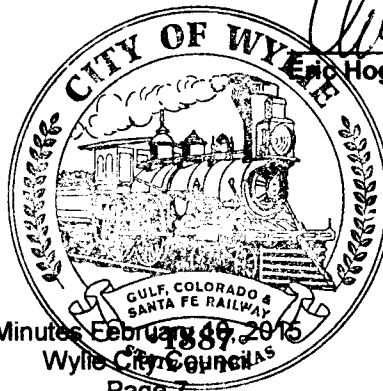
A motion was made by Mayor pro tem Stephens, seconded by Councilman Winters to approve a Settlement Agreement and Release between the City of Wylie, Texas, and Ismael Wilfredo Hernandez and authorize the City Manager to execute the same. A vote was taken and the motion passed 7-0.

ADJOURNMENT

A motion was made by Councilman Jones, seconded by Councilman Scott to adjourn the meeting at 9:12 p.m. A vote was taken and the motion passed 7-0.

ATTEST:


Carole Ehrlich, City Secretary




Eric Hogue, Mayor